

## N. Y. RENTAL LAWS VALID, IS DECISION OF HIGHEST COURT

Measures Passed to Meet  
Emergency Upheld in  
Every Particular by  
Narrow Margin.

### STATE WITHIN RIGHTS

Action Establishes Prin-  
ciple Legislatures May  
Protect People From  
Profiteering.

### DENOUNCED BY MINORITY

Majority Ruling Called Step  
Toward Socialism—Same  
Views on District of  
Columbia Cases.

Special Despatch to THE NEW YORK HERALD.  
New York Herald Bureau,  
Washington, D. C., April 18.

The United States Supreme Court to-day by upholding the emergency housing laws of New York State and the District of Columbia established the principle that State Legislatures and Congress can pass laws to protect the people against rent profiteers during an emergency.

Both the rent laws were upheld in every particular on the broad grounds of the constitutional provisions of eminent domain and the police power of the States. The decision, considered one of the most far-reaching and important in years, revealed a sharp difference of opinion among the Justices, both cases being decided by a vote of 5 to 4.

The four dissenting Justices—Chief Justice White, Justices McKenna, Van Devanter and McReynolds—denounced the decision as a step toward Socialism and a wiping out of the property guarantees of the Constitution. The majority—Justices Holmes, Day, Pitney, Brandeis and Clarke—declared that the Constitution gave the States right to regulate contracts, such as leases, when a grave emergency existed.

The approval of the New York emergency housing laws enacted in 1920 as the result of a special session of the Legislature called by former Gov. Alfred E. Smith for that purpose, was given on an appeal from a decision of the United States District Court for the Southern District of New York, which upheld the statutes. In the District of Columbia case, the local Circuit Court of Appeals had held unconstitutional the Ball rent act, creating a commission to adjust rents.

#### Based on Police Powers.

The New York case was appealed by the Marcus Brown Holding Company against Marcus Feldman, Benjamin and Alfred Schwartz, tenants, and Edward Swann, as District Attorney of New York County.

The company sought to have declared unconstitutional chapters 942 to 952, inclusive, and chapters 121, 122, 132, 133, 134, 135, 136, 137 and 138 of the State laws of 1920. It endeavored to obtain injunctions restraining the tenants and the District Attorney from interfering with large apartment houses and from compelling the performance of certain services.

In the majority opinion, Justice Holmes, in substantiating the contention that the laws were valid exercises of the police power of the States, argued that since States have the right to limit the height of buildings, regulate billboards, protect public health, protect watersheds, prevent exorbitant rates of interest and control public utilities, the right to prevent extortionate rents and protect housing conditions must be upheld. The State has power to impair contract obligations and control them when the public interest requires, and this interest was apparent because of unusual housing conditions in both cases, the majority held.

"Housing is a necessary of life," Justice Holmes said. "These cases are enough to establish that a public emergency will justify the Legislature in restricting property rights in land to a certain extent without compensation. But if to answer one used the Legislature may limit the height of buildings, to answer another it may limit the rent. We do not perceive any reason for denying the justification held good in the foregoing cases to a law limiting the property right now in question, if the public exigency requires it."

#### Strikes at Rent Gouging.

The decision clearly establishes the right of all States to enact similar laws and to continue them during an emergency. This emergency, the opinion indicates, will end on the official termination of the war, but the laws may be continued as long as the emergency which caused the statutes—prevalent rent profiteering—exists. The courts under both laws, Justice Holmes pointed out, still have the last word in all rent disputes.

The minority in the opinion by Justice McKenna asserted that explicit provisions of the Constitution make the laws invalid. He said the laws were contrary to every conception of obligations of lessor and lessee and were a blow at constitutional guarantees of the rights of property owners.

Justice McKenna, in a most emphatic manner, said the law was a step toward Socialism, and opened the way to all sorts of Government regulation of private business.

"The decision to-day marks the doom

## HOURLY CAFE CALLS NET 300; TOTAL POLICE ARRESTS 1,100

THE Police Department began to enforce the new State dry laws less than two weeks ago and according to an announcement at headquarters last night more than 1,100 arrests have been made. Of this number 333 were made between midnight Saturday and midnight Sunday, mostly as the result of the new rule requiring the uniformed patrolmen to make hourly visits to all saloons, cabarets, restaurants and other places where liquor either has been sold or drunk on the premises.

John A. Leach, First Deputy Police Commissioner, said that during this period of enforcement the police have confiscated 385 barrels of whiskey and wine, 5,587 bottles of liquor of various brands, 77 jugs, one horse and wagon, four taxicabs, four automobiles, five stills, one gas stove, in which was concealed some home made "hooch," and a large quantity of mash.

The majority of the persons arrested have been held by magistrates for action by the Grand Jury, but many have been released because they have been able to explain the presence of the liquor in their homes or places of business. One of the most unusual of these occurred yesterday in the Essex Market Court, when Rose Wallach, who owns a restaurant in 140 Rivington street, said she used a flask of whiskey found in her place for rubbing her arms and ankles, to reduce swollen muscles. She was discharged.

## MRS. J. W. F. POTTER IS MARRIED AGAIN

Divorce Disclosed by Wedding  
to Henry Wainwright Howe,  
Skating Club Head.

### OBTAINED IN NEVADA

No Hint of Domestic Difficulties  
Had Been  
Made Public.

Although no hint of their domestic difficulties had reached the public, Mr. and Mrs. J. W. Fuller Potter of New York and Southampton have been divorced, and on Saturday Mrs. Potter, like her former husband, a member of one of the best known families in New York, was married to Henry Wainwright Howe, formerly of Boston, now of New York.

Where the ceremony was performed could not be learned last night, but members of the bride's family admitted that it had been performed somewhere in or near the city. The couple are now on a brief honeymoon trip. Mr. Howe's home is at 150 East Seventy-second street, but no answer could be obtained when additional details were sought there.

Mr. and Mrs. Potter had been married for fifteen years or more and have five children, four girls and a son. It was learned that at the end of the last summer Mrs. Potter, taking two of her younger children, went to Reno, Mr. Potter remaining at 133 East Fifty-fifth street. She returned from the West only on Saturday, the wedding taking place on her arrival.

Mr. Howe has two sons in Harvard, Henry Wainwright Howe, Jr., and Nathaniel S. Howe. His first wife, who was Miss Ethel Gardner of Boston, died last autumn in North Haven, Me. He is a Harvard man of the class of 1897, is well known as an athlete, being especially proficient at tennis and skating, and is now the president of the New York Skating Club. To this club his bride also belongs. She also was a member of the skating club of which Mrs. Roy A. Rodney was the head two years ago. It is said that she and Mr. Potter are friends through a common interest in the latter sport.

Mr. Howe also is a member of the Union University, Brook, Racquet and Tennis, Merchants and New York Yacht clubs. The bride, before her first marriage, was Miss Mary Barton Atterbury. Her father was the late John Turner Atterbury of New York. Messrs. Lawrence and Greenover Atterbury are her cousins. Mr. Potter, who served as a major during the war, belongs to the Union, Racquet and Tennis, Knickerbocker and Piping Rock clubs and the National Golf Links. His father was the late Eliphaz A. Potter, who is nephew of the late Bishop Henry Coleman Potter and is a brother of Eliphaz N. Potter, Mrs. Philomena F. Sturges, Mrs. Harold Barclay and Howard C. Potter.

## ONTARIO AGAIN GOES BONE DRY BY BIG VOTE

Restores War Time Ban  
Lifted Fifteen Months Ago.

TORONTO, April 18.—Ontario to-day voted for "bone dry prohibition" on the referendum to stop the importation and sale of intoxicating liquor in the province by a majority unofficially placed between 125,000 and 200,000. These figures were predicated upon an estimated total vote of about 600,000.

In September, 1915, a ban on the importation of liquor was imposed as a war measure, but was lifted fifteen months ago. Reimposition of this ban was the issue in to-day's referendum. The result of the election will be the application of the Dominion law prohibiting the importation of liquor from any other province, State or country. The Sandy bill, which prohibits the delivery within the province of liquor manufactured there, will be enforced. It is said, as there is no law which forbids the manufacture of intoxicating liquors in Ontario. The provinces of Alberta, Saskatchewan and Nova Scotia previously have voted in favor of bone dry prohibition.

### ITALIAN WIRELESS TO U. S.

New Station to Be Constructed  
Near Pisa.

ROME, April 18.—Work will soon be begun on a powerful wireless station to be constructed near Pisa for regular communication with the United States. This announcement was made in a lecture by Marquis di Solari before the Italo-American Association here. The Marquis said it was hoped to begin operation of the plant in 1922.

## DR. DRURY ELECTED TRINITY'S RECTOR

Head of St. Paul's School,  
Concord, N. H., Unanimous  
Choice of Vestry.

### HE IS ONLY 43 YEARS OLD

Dr. Milo H. Gates and Dr. W.  
W. Bellinger Said to Have  
Been Candidates

The Rev. Dr. Samuel Smith Drury, now rector of St. Paul's School, Concord, N. H., was elected yesterday rector of Trinity parish to succeed the Rev. Dr. William T. Manning, who on May 11 will be consecrated Protestant Episcopal Bishop of the diocese of New York.

Eighteen of the twenty-two members of the vestry of Trinity Church attended the meeting in the parish house, 187 Fulton street. They had been in deliberation behind closed doors almost two hours when the session closed and Bishop-elect Manning announced that Dr. Drury had been the unanimous choice of the electoral body.

The vestry appointed Church Warden Hermann H. Cammann and Richard Delafield, Justice of the Peace, as the Supreme Court and George F. Crane of the vestrymen a committee to wait upon Dr. Drury in person and invite him to accept the office. This formal notification will occur at the convenience of Dr. Drury, who will be consulted by the Bishop-elect Manning on any member of the vestry was willing to be quoted to that effect.

Dr. Drury, though he is the first non-resident in many years to be chosen for the head of New York's oldest parish, is no stranger to this city. He is distinguished among churchmen not only as an able administrator and organizer, but as a powerful preacher. He is 43 years old. Personally he stands fully six feet, has a stalwart frame and is gifted, so his friends say, with magnetism, charm of manner and spirituality as marked as his intellectual attributes.

During the recent Lenten season he occupied the pulpit of Trinity at the midday service daily during Passion week and his sermons attracted large congregations. The rector-elect was born in Bristol, R. I. in 1878. He was ordained a deacon by Bishop McKim in 1905 and priest by Bishop Charles R. Brent, now Bishop of Western New York, in 1908. Dr. Drury was graduated from Harvard University and also attended the Berkeley Divinity School.

He served as chaplain to Bishop Brent in the Philippine Islands from 1905 to 1907 and had there a wide missionary experience. In 1908 he became rector of St. Stephen's Church, Boston, and in 1910 was elected vice-rector of St. Paul's School, Concord, N. H. Drury became head of the school the following year. St. Paul's School has a roster of about 400 pupils and is one of the leading college preparatory institutions in the country. Should the newly elected rector accept, the date of his induction into office will be at his own convenience. It is likely, however, to follow closely upon the consecration of Dr. Manning as Bishop, who will not rest until he has until all details are arranged.

Dr. Manning presided over yesterday's meeting of the vestry. Though his official statement made no mention of any other candidate for the office of rector, it is known that in the earlier deliberations considerable strength was developed by two other nominees. These were the Rev. Dr. Milo Hudson Gates, vicar of the Chapel of the Intercession, and the Rev. Dr. W. W. Bellinger, vicar of St. Agnes's Chapel.

### HARDING TAKES \$50 DIP INTO SWIMMIN' HOLE

Johnny Wachman, With  
Pals, Besiege White House.

WASHINGTON, April 18.—Swimming hole memories cost President Harding a \$50 bill to-day.

A score of boys and girls intent on collecting a swimmer's hole found trooped up to the White House, headed by John Wachman, aged 13, who recently wrote Mr. Harding about the scheme, and was invited to come up and sell the President a ticket to a swimmer's hole benefit.

Johnny and his pals were staggered when Mr. Harding handed out the big bill. They didn't have enough tickets with them, but he said he wouldn't worry about that if they would count him in on the project \$50 worth. Secretary Mellon was with Mr. Harding at the time, and he dug up a nice, new \$50 bill to add to Johnny's collection.

The best writing papers  
are WESTINGHOUSE.

## HYLAN PROMISES, CRAIG FIGHTS, CITY AID IN RUM WAR

1,000 New Policemen and  
\$100,000 to Enright  
Pledged by Mayor.

### COMPTROLLER SAYS NO

City Up to Tax Limit and  
Legislature Knew It,  
Comptroller's View.

### \$36,000 TO TEST BOOZE

Estimate Board Seeks to  
Transfer This From Wha-  
len's Department.

The Board of Estimate, at the request of Grover A. Whalen, Commissioner of Plant and Structures, transferred \$36,000 from his department yesterday to the city laboratory to provide for the analysis of the booze seized by the Police Department in raids since the State prohibition laws went into effect.

Immediately after this action of the Board of Estimate Mayor Hylan promised Police Commissioner Enright favorable action on the appropriation of \$100,000 for the Police Department contingent fund, and promised also that 1,000 additional patrolmen would be added to the force at a cost of about \$2,000,000 a year. But Comptroller Charles L. Craig threw a bolt into the enforcement plans of the Police Department by announcing that not one cent of the approved transfer from Mr. Whalen's department nor of the money asked by Commissioner Enright would get past his desk.

The same policy, he said, was being used by him in dealing with requests from the District Attorney for additional funds to pay assistants to prosecute liquor cases, and would be applied also to any future appropriation growing out of the prohibition enforcement laws.

#### Not a Dollar, Says Craig.

"The Legislature passed the prohibition act with the knowledge that the city was up to its tax limit," said Mr. Craig, "and therefore must have expected the city to enforce the law with its existing facilities and without additional expenditures. I wish to add also that every dollar transferred from other funds and devoted to prohibition enforcement or other purposes is just a remainder of the year. F. H. La Guardia, President of the Board of Aldermen, said that the city is up to its tax limit, and I am sure that the Board of Aldermen is open. If the Aldermen will authorize it anybody can go there and get all the money they want for any purpose up to \$2,000,000 in special revenue bonds. But otherwise nobody will get any additional money for prohibition if this office can help it."

Commissioner Enright's request for additional funds for more patrolmen was made before the finance and budget committee of the board. He said \$100,000 was needed to augment the department's contingent fund to cover expenses of enforcing prohibition. F. H. La Guardia, President of the Board of Aldermen, objected and declared the department could enforce the law with its present force and funds.

"That don't go," said the Commissioner. "The law has got to be enforced. You cut 600 men off the budget, and now I am being asked to put another 400 to enforce the prohibition law. My department is crippled."

Mayor Hylan interrupted to ask the Commissioner if there had not been a conference on this subject between Gov. Miller and Deputy Commissioner Leach. Commissioner Enright said that was so. "Well," said the Mayor, "you bring the minutes of that conference to the committee meeting here next week and I promise you action and relief."

#### The Matter Was Laid Over Pending the Presentation of the Minutes.

### Fire Are Arrested.

Discovery of a new conspiracy to withdraw 400 cases of liquor worth \$20,000 on forged permits led to the arrest last night of five men and the seizure of the permits. The arrest was made by detectives under Hugh McQuillan, chief of the special investigation unit of the Department of Internal Revenue, who took the five men into custody in the wholesale liquor house of L. N. Goldberg, in 558 Eighth avenue. The prisoners gave their names as Charles Sterns, 440 Riverside drive; James Branch, 125 East 118th street; Frank J. Blank, 525 West 178th street; Harry Perloff, 668 Union street; and Charles Hoffman, 215 East Seventeenth street. They were locked up in Police Headquarters.

The arrest and the seizure of the forged permits came as the result of persistent shadowing of the associates of the man who was arrested two weeks ago at Thirty-fourth street and Seventh avenue, with a rubber stamp bearing the name of "A. C. Keen, Federal Prohibition Director of the State of Pennsylvania." According to Mr. McQuillan, the seized permits bore the forged signature of Mr. Keen and called for the withdrawal of the liquor for medicinal purposes.

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## Gompers Honeymooning in an Open Shop Hotel

Special Despatch to THE NEW YORK HERALD.

BUFFALO, April 18.—Samuel Gompers, president of the American Federation of Labor, spent the first two days of his honeymoon here in the Hotel Arlington, which is an open shop hotel. The labor leader and his bride ate meals cooked in an open shop kitchen by non-union cooks and served in the dining room by non-union waiters. The owner of the Arlington, Duncan McLeod, has been a friend of Mr. Gompers for many years, but he was the leader of the hotel men's recent fight against the unions and since then his hotel has been strictly open shop.

Mr. and Mrs. Gompers left this afternoon for Toronto, where he is to address the Empire Club tomorrow.

## MANY PAY BOOSTS IN CITY'S 120 BILLS

High Officials, Police and  
Firemen Cared For—Hylan  
Vetoes to Be Watched.

### 737 LEFT WITH MILLER

Wide Range of Beneficiaries in  
Final Grist Turned Out  
by Legislature.

Special Despatch to THE NEW YORK HERALD.  
New York Herald Bureau,  
Albany, April 18.

New York city comes out better than city officials expected at the hands of the Legislature just adjourned. Scores of bills sought by the Hylan administration were rushed through in the last two days of the session, and 120 of the 737 bills left with Gov. Miller for the thirty day period are New York city measures.

One of the most important of the bills left with the Governor is that of Senator Knight, placing all traction lines running into New York city under the new Transit Commission. These lines extend through Westchester county and Long Island.

Of the bills which will have to be acted on by Mayor Hylan before reaching the Governor is that of Senator Downing increasing the salary of the New York Mayor and Comptroller from \$15,000 to \$20,000. The President of the Board of Aldermen is to get \$10,000, and other city officials are to get \$5,000. There are other increases.

The Burlington police and firemen's pay increase bills also have been sent to the Mayor. The minimum salary of chief police inspector is to be \$7,500; borough inspector, \$5,000; inspector, \$4,000; other captain, \$4,000; lieutenant, \$3,500; and sergeant, \$2,500. Substantial increases are given to all patrolmen and other police officers. The chief of the Fire Department gets a raise from \$6,000 to \$10,000. Salary boosts also will be enjoyed by all other members of the fire fighting force if the bill is approved.

In other measures sent to Mayor Hylan provision is made as follows: Qualifying a police justice who was acting in that capacity before 1885 for appointment as a city magistrate, giving New York city elected inspectors \$2 for counting returns; permitting the Fire Commissioner to appoint to the uniformed force marine engineers attached for ten years or more to the civilian force; eliminating the prohibition against stage or omnibus routes in New York city; abolishing the office of New York city Chamberlain; regulating and licensing New York city dance halls.

Provision is made for a tunnel between Richmond and Brooklyn; for restoring city employees to the same grade they held at the time of dismissal for war services; directing Police Commissioner Enright to rehire charges and reappoint policemen who were in the military or naval service during the war; permitting the city to take over the city's interest in land under water which is needed for the New York-New Jersey vehicular tunnel.

### ARMS MAIL EMPLOYEES WITH GUNS AND PISTOLS

Chicago Postmaster Gets  
Weapons to Shoot Robbers.

CHICAGO, April 18.—Postmaster William R. Carlisle to-night announced the receipt of more than 200 shotguns and revolvers for use in arming post office employees in his jurisdiction, together with instructions from Postmaster-General Hayes to take all precautions in guarding the mails.

Watchmen at unloading platforms where registered mail is handled and shipments especially will be armed. The new campaign against mail robbery in the larger cities to convey the mail weapons carrying registered mail. Heavily armed motorcycle riders will accompany mail trucks from post offices to railway stations.

Continued on Second Page.

## JAPAN IS DEFIANT IN DEADLOCK OVER U. S. RIGHTS IN YAP

Tokio Bluntly Refuses to  
Yield and Denies Reser-  
vation on Island.

### HINTS AT BAD FAITH

Note Given Out Which In-  
spired Hughes's Stand on  
America's Interests.

### NEW REPLY IS AWAITED

Mikado's Position Difficult, as  
France Favors Position  
of Washington.

Special Despatch to THE NEW YORK HERALD.  
New York Herald Bureau,  
Washington, D. C., April 18.

Release to-day of the text of recent correspondence between the United States and Japanese Governments concerning the island of Yap is a plain revelation of deadlock. Japan not only refuses to meet the United States half way but rather truculently intimates that the American argument was conceived in bad faith.

The spirit and tenor of the Japanese replies obviously are disturbing and displeasing to this Government. This blunt phrasing has aroused comment.

On the one hand is the American attitude laid down by Secretary Colby and greatly broadened and strengthened by Secretary Hughes that not only was the supreme council of the Allies without authority to hand over the former German possession of Yap to Japan without the consent of the United States but that an express reservation actually was made by President Wilson and Secretary Lansing looking toward international control of the island and that the United States will maintain both fact and principle.

On the other hand, is the Japanese attitude contradicting the American assertion and maintaining the stand that the supreme council made a final decision on May 7, 1919, to give to Japan the mandate over all German islands north of the equator and that Japan would not be able to consent to any proposal reversing the decision of the supreme council, which would exclude the island of Yap from the territory committed to its charge.

#### Japan's Reply Is Astonishing.

To this argument Japan adds a comment that has produced astonishment here:

"It must also be remembered that if a decision in favor of the exclusion of the island of Yap—a question of grave concern to Japan, and one on which the Japanese delegates invariably maintained a firm attitude—had really been made, as is implied by the argument of the United States Government, at the meeting of May 7, 1919, at which Japan was not represented, it would not have been a decision as an act of entirely bad faith."

In its reply of February 26 to the note sent by the American State Department on December 6 theories advanced by the United States are referred to as "extraordinary, even unreasonable to consider." And a similar trend of the American argument in the same note is characterized as "wholly at variance with the facts, and cannot be thought by any one to be convincing."

It was to this repudiation of the American position to which Secretary Hughes replied on April 5 in the note which developed the American situation far beyond the question of Yap and asserted that the United States would not accede to mandates that involved the extinction of rights that were not abandoned at Paris.

In the wide correspondence there are two basic points. One is a question of fact—did or did not President Wilson make a reservation in the case of Yap, a reservation which supports the position of the United States to-day? The second is a question of principle—should the United States consent to turn over to Japan or to any other country the absolute title to territory where American rights are involved without the consent of the United States Government? The entire controversy boils down to these two things.

#### Question of Fact Eliminated.

As regards the fact it is authoritatively stated that the present Government does not recognize there is any fact to be determined. In its point of view all questions of fact was settled when the President of the United States just before he gave way to his successor made the unqualified statement that a reservation in the case of Yap had been entered with the Supreme Council. That closes the question of fact so far as this Government is concerned. It will not argue the matter. The testimony of President Wilson and Secretary Lansing settles the point squarely.

As regards the two Mr. Hughes in the last of the series, the note now referred to as a new bill of American rights, sent simultaneously to all the Allies, stands squarely and entirely. His position is founded solely upon principle and legality. He ignores the question of fact, emphasized by Japan, whether a reservation actually was made as having been settled by the former Government and as of no real consequence in the controversy.

He takes the stand that there could be no valid disposal of former German territory without the assent of the United States as one of the victors over Germany; that the United States never vested the Supreme Council with authority to hand over the United States on any decision whatever; that an attempt to

## Favor U. S., Australian Laborites Demand

MELBOURNE, April 18.—The

Parliamentary Laborite party has announced that it will support the policy that Australia should not be a party to any Anglo-Japanese alliance which would not find favor in the United States.

## UNIONISM PUBLIC ENEMY, SAYS GARY

Labor Bodies Are of No Use to  
Anybody Except Their  
Leaders, He Adds.

### SEES SOLUTION IN LAWS

Would Have Governmental  
Regulation of All Economic  
Organizations.

Labor unions are of no use to anybody except their leaders, are inimical to the best interests of the employer and the general public, and result only in inefficiency and high costs, in the opinion of Judge E. H. Gary, chairman of the United States Steel Corporation, who expressed those views in his address to stockholders at the annual meeting in Hoboken yesterday. Judge Gary had before expressed the opinion that labor unions were unnecessary and unsatisfactory organizations, but never had he spoken so plainly and so emphatically of them.

Labor unions may have been justified in the long past, he said, but at present "there is in the opinion of the large majority of both employers and employees no necessity for labor unions and no benefit or advantage through them will accrue to any one except the union labor leaders."

He reiterated that the steel corporation still believes in and stands for the open shop, but he added, "our opinion is that the existence and conduct of labor unions, in this country at least, are inimical to the best interests of the employers, the employees and the general public. The natural and certain effects of labor unionism are expressed in three words—inefficiency, high costs. The end sought by labor union leaders, at least, to which their efforts tend, means disaster and destruction. I would intentionally do an injustice to any union labor leader not to a labor union. But I firmly believe complete unionization of the industry of this country as attempted would be the beginning of industrial decay."

#### Labor Problem Solution.

As a possible solution of the labor problem Judge Gary suggested public, employer and reasonable control through governmental agencies, with non-partisan and non-sectarian commissions whose decisions should be subject to review by the highest courts. He also suggested laws to apply to all economic organizations exceeding certain numbers under which both capital and organized labor should be placed.

"Laws—clear, well defined, practicable and easy of comprehension—covering these matters might be passed," he said, "and if so they should apply to all economic organizations, groups or bodies exceeding certain specified numbers or amounts."

"Labor unions should be placed under these laws. Each should be entitled to the same protection and be subject to the same restrictions and provisions. They have hitherto objected. Here would be a test."

American employers have before now asked and received discriminatory exemptions. This is wrong and it would be just as bad if the situation were reversed. Employers generally desire only the same treatment that is accorded to labor unions. The large majority of workers would be satisfied with this standard."

#### Points for Consideration.

"In discussing the question of labor unions," Judge Gary continued, "it should be always kept in mind what is commonly known or overlooked or at least minimized, that:

"In the United States not more than 10 to 15 per cent. of labor is or was at its highest point during the war actually included in membership of the unions. Also that the weak point of the union is the union; do not seek the opportunity; do not search for leaders to form and maintain organizations, and, on the contrary, that self-appointed leaders, who expect to receive pecuniary profit, have been and are constantly and persistently solicited by the workers to become members. These leaders create and maintain the organizations at the expense of those who are actually workmen and join through intimidation, overpersuasion, false promises, misrepresentation or because of the use of other vicious or unworthy methods."

"It is plain that the public speaker or writer who assumes that the union labor leaders represent 'labor' as a class is mistaken—first, because a comparatively small percentage of labor is connected with the unions, and, secondly, because a relatively small number of the members of the unions actually participate in any action taken by the unions."

"Of course, under some circumstances, as the result of coercion, threats, insults or wild promises, members of the unions, previously consulted, may and do temporarily join a movement precipitated by the leaders and thus for a time nominally increase the membership. If a worker desires to join a labor union he is, of course, at liberty to do so, and in that case he should not be discriminated against by an 'open shop' so long as he respects the rights of his employers and his co-employees and in every way conforms to the laws of the land."

The officials of the corporation, Judge Gary said, are in favor of abolishing the twelve hour day, but as yet they have been unable to reach a satisfactory conclusion on the matter.

## GERMANY OFFERS LARGER INDEMNITY WITH WORLD LOAN

New Proposals Include As-  
sumption of Entire En-  
tente Debt to United  
States.

### THEY ARE SENT HERE

Total Reparation Sum Is  
Ten to Fifteen Per Cent.  
Less Than Allies' Demand.

### CREDIT DETAILS OMITTED

Berlin Proposes Reconstruc-  
tion of French Devastated  
Regions Under Plans to  
Satisfy Unionism.

By R